CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

533/72008-2
CC&W/Midtown
February 6, 1985

To: Planning Advisory Committee

Subject: Covering Report - Response to Comments on the 1983 Reports "Revised North Midtown Area Plan" and "Design Guidelines for North Midtown"

Origin: Commissioner of Planning and Development (c711uc85089:175)

Comments:

The report [illegible]ponse to Comments on the 1983 Reports "Revised North Midtown Area Plan" and "Design Guidelines for North Midtown"´ makes final recommendations for the North Midtown Area Plan, taking into account the comments made on the 1983 reports, both at the public meeting held by the Planning Board in June, 1983, letters received, and further discussions.

This report should be subject of deputations at a regular Planning Advisory Committee meeting. In order to provide sufficient notice for this meeting, it should be before your Committee for its March 18 meeting.

Copies of this latest report should be sent to area interest groups and individuals who have attended the public meeting or who have otherwise expressed interest in the Plan. Also, given the lengthy history of the Area Plan, a summary of its purpose and contents should also be distributed.

Recommendations:

1. That copies of the February 6, 1985 report, ´Response to Comments on the 1983 Reports, "Revised North Midtown Area Plan" and "Design Guidelines for North Midtown"´ and a summary of the Revised North Midtown Area Plan be sent to area interest groups, individuals who have expressed interest in the Plan, and the Ward aldermen.

5-2952/

2. That the Planning Advisory Committee hear deputations on the 1985 report and the North Midtown Area Plan in general as part of its regular meeting on March 18, and that notice of this meeting be given to those noted in recommendation 1.

Stephen G. McLaughlin
Commissioner

CM/clh

CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

533/72008-2
CC&W/Midtown
February 6, 1985

To: Land Use Committee

Subject: Response to Comments on the 1983 Reports, "Revised North Midtown Area Plan" and "Design Guidelines for North Midtown"

Origin: City of Toronto Planning Board, at its meeting of May 24, 1983 (c71luc85090:175)

Comments:

1. Introduction and Summary

At its meeting on May 24, 1983, the City of Toronto Planning Board had before it my reports dated May 5, 1983 and entitled "Revised North Midtown Area Plan" and "Design Guidelines for North Midtown". It adopted the following recommendations:

"1. That the Planning Board receive the attached report.

2. That the Planning Board hold a public meeting on Wednesday, June 15, 1983 at 7:30 p.m. in the Metro Toronto Library Meeting Room D at 789 Yonge Street.

3. That the subject of the meeting also include the discussion of the proposed design guidelines for the area.

4. That the Board appoint a chairman and 3 members to attend the meeting.

5. That notice of the public meeting be sent to area residents, property owners and area associations within 300 metres of the Area Plan boundaries who have shown interest or have been involved in the Area Plan process. Also, advertisements should be placed in the Globe and Mail, the Toronto Star, The Real Estate News and any other local newspaper or newsletters where possible and appropriate.

6. That I be requested to report further on the North Midtown Area Plan and Design Guidelines for North Midtown following the public meeting."

Following the Planning Board's adoption of the above recommendations, copies of the reports were circulated and a public meeting was held to discuss the reports. In addition, planning staff held a number of other meetings with area

associations, businessmen and residents on specific matters dealt with in the reports.

This report responds to comments received on the 1983 reports "Revised North Midtown Area Plan" and "Design Guidelines for North Midtown" and updates other matters arising from them.

The first report recommends that draft by-laws be prepared for the North Midtown Part II Official Plan as set out in Appendix C of that report. It also recommended that amendments to the Zoning By-law be prepared with respect to zoning and height changes, reduction in minimum lot frontages, split level entrances and area specific use prohibitions. The report also made recommendations for the preparation of a Comprehensive Streetscape Improvements Plan for North Midtown and urban design guidelines for Yonge, Bloor and Bay Streets. The 1983 report, "Design Guidelines for North Midtown", recommended design guidelines for North Midtown and that the guidelines be published as a separate booklet and distributed to interested architects, consultants and developers.

2. Organization of this Report

Section 3 of this report deals with the public meeting on June 15, 1983 at the Metro Toronto Public Library.

Sections 4, 5, 6 and 7 comment on responses to the 1983 report "Revised North Midtown Area Plan" from the Toronto Christadelphian Assembly, solicitors for the development at Avenue Road and Davenport, the past president of the ABC Residents Association, the owner of the church at 121 Avenue Road, and the Ward 5 Aldermen.

Sections 8 and 9 of this report comment on responses to the 1983 report "Design Guidelines for North Midtown" from the Toronto Redevelopment Advisory Council, the Canadian Institute of Public Real Estate Companies, the ABC Residents' Association and The Stone Church.

In addition, there are four appendices to this report. Appendix A includes the minutes of the Public Meeting held on June 15, 1983. Appendix B includes the responses to the report "Revised North Midtown Area Plan". Appendix C includes the responses to the report "Design Guidelines for North Midtown". Appendix D is a summary of recommended changes to the guidelines in the report, "Design Guidelines for North Midtown".

3. Concerns identified at the Public Meeting

The public meeting held on June 15, 1983 was attended by approximately 60 area residents, businessmen, and other interested

people, in addition to the Planning Board members, Ward Aldermen and planning staff. Those who attended, generally responded favourably to the 1983 reports "Revised North Midtown Area Plan" and "Guidelines." Minutes of the public meeting are included in Appendix A of this report. The major concerns raised at this meeting included the recommendation to close the public laneway to the west of Stollery Park; the future of the Ramsden Park Works Yard; development of the lands at the southeast corner of Avenue and Davenport Roads; redevelopment of St. Paul's Church at 121 Avenue Road; and the application of the design guidelines. These issues are dealt with later in this report.

In addition to the concerns noted above, an area businessman questioned the purpose of designating Areas of Special Identity.

A number of areas in the City are designated Areas of Special Identity. The statements in the Plan elaborate planning objectives for special areas, forming a basis for special zoning provisions, or guidelines for the area. Section 1A.40(a) of the Official Plan states that

> "In order to conserve and strengthen areas with special identity and character, and to encourage in certain areas the development of a new identity and character, it is the policy of Council to designate Areas of Special Identity. In such Areas, Council will employ its available powers to enact regulations, review plans and drawings, and make requirements so as to ensure that new development is consistent with the prevailing character, function and identity of the Area in which the development is to be located."

The Areas of Special Identity proposed in the Part II Official Plan for North Midtown set out planning objectives for each area in order to protect the special character of each of these areas and ensure compatibility between adjacent areas. The Design Guidelines, and zoning restrictions, such as the prohibition of split level entrances, are ways these objectives are proposed to be implemented.

A second question at the public meeting was about possible overlap of the proposed Comprehensive Streetscape Improvement Plan with the proposed Business Improvement Area for the Village of Yorkville. The two are complementary. The Comprehensive Streetscape Improvements Plan in the 1983 reports is general in nature. Detailed improvements on an area and site specific basis will be developed in consultation with area interest groups and reviewed in context with the comprehensive streetscape

improvements plan to ensure consistency and continuity for the entire area. Many meetings have already taken place to discuss the streetscape improvements with the Asquith Collier Association, the Davenport Terrace Businessmen Association, the Scollard Street area residents and businesses and the Village of Yorkville and Yonge-Bloor-Bay Business Association (now known as Bloor-Yorkville). The latter has begun the process of polling area businesses towards designation as a Business Improvement Area (B.I.A.).

4. Response by the Toronto Christadelphian Assembly regarding the proposed redesignation of 728 Church Street in the 1983 Report "Revised North Midtown Area Plan"

The Toronto Christadelphian Assembly objected to the proposed redesignation of their site at the corner of Church Street and Asquith Avenue from a Medium Density Mixed Commercial-Residential Area to a Low Density Residence Area. The designation of Low Density Mixed Commercial Residential Area would also ensure that the site continue to act as a buffer between the low-rise residential to the north and the high-rise commercial to the south of the site, a major planning objective for the area. The church and the Asquith Collier Association, have now agreed to this designation.

I am also recommending that the site be rezoned from R3 Z3 to CR L1 U100 but that the non-residential uses be limited to uses which would be compatible with the residential area by extending the use restrictions in Section 16(2)(191) to this site. The section prohibits an eating establishment, a tavern or public house, a billiard or pool room, a club and a place of amusement. This change in zoning is supported by the church and the Asquith-Collier Association.

5. Response by Goodman and Carr to the 1983 Report "Revised North Midtown Area Plan" regarding the lands at the southeast corner of Avenue and Davenport Roads

Goodman and Carr, representing the owners of the lands at Avenue Road and Davenport, are in favour of the recommendations put forward in the Revised North Midtown Area Plan.

Following the June 15, 1983 public meeting, further meetings were held with area residents to discuss the project and its relationship with the Webster and Hazelton Avenue properties. The project was redesigned to meet area resident concerns and was approved by Council on April 16, 1984. Committee of Adjustment variances were obtained to permit CR uses in a small portion of the R district. Since the site is permitted to be developed as a

mixed use development, the Zoning By-law should be changed to show CR zoned for the entire lot, as recommended in the 1983 report.

6. Responses by Alderman Ron Kanter, Alderman Ying Hope and the President of St. Paul's Square Inc., respecting the proposed change in zoning for the church building at 121 Avenue Road

The 1983 "Revised North Midtown Area Plan" recommended changing the zoning for 121 Avenue Road from R3 Z3 to CR L2 U150 with a limited set of uses, in an attempt to ensure the appropriate use, maintenance and eventual re-use of the church building. The President of St. Paul's Square Inc. supports this proposal, however the community objected.

Since the area residents and the owner of 121 Avenue Road have not been able to resolve their differences, I am recommending the following as the best way to meet planning objectives for this site.

I am continuing to recommend that the site be zoned CR L2 U150 which is consistent with other sites along Avenue Road, but that in order to assure compatibility with the adjacent residential area along Webster Street, the non-residential uses permitted should be limited to the existing designated buiding and should be restricted. Instead of excluding uses by means of extending the use restrictions in Section 16(2)(191) - the replacement of the Fishleigh By-law - to this site as proposed in my 1983 report, I am now proposing that this list be more specific and somewhat more restricted. Furthermore, I am recommending that these uses only be permitted in the existing building and should redevelopment occur, the use list should be reviewed with the community at that time. The list of uses include: a day nursery, a nursery school, a church, a community health centre, premises of a charitable institution, non-profit institution, a community or social agency used for the purposes of providing a community service, a public library, a public art gallery or museum, a conservatory of music, a bible institute, a religious library or reading room, a branch of a bank or financial institution, a real estate office, a photographer's shop, a travel agency, a sample or showroom, theatre, an auctioneer's premises, a security service, an administrative office of a non-profit institution of a religious, educational, recreational, fraternal or philanthropic nature, the office of a chiropractor or osteopath, an office of a professional person or persons such as a physician, barrister, engineer, architect, Ontario Land Surveyor, a business administrative office, the office of a town or regional planner who is a member of a recognized planning institute, association or organization, an artist or photographer's studio, a private art gallery, a commercial school and a craft school.

I am also recommending that the following guidelines be added to Section 11 of the "Design Guidelines for North Midtown" for consideration of future redevelopment of the site:

> "In order to ensure the compatibility of the redevelopment of 121 Avenue Road with adjacent residential buildings, The Sanctuary portion of the building should be retained but that the Sunday School portion at the rear of the building could be redeveloped as follows:
>
> i. the new building should be setback in line with the houses at 11 Webster Avenue;
>
> ii. the height of the new building should be in line with the top of the roof of the Sanctuary portion of the building, stepping down to the height of the houses at 11 Webster Avenue;
>
> iii. the facade of the new building should retain and incorporate the existing facade of the Sunday School portion of the building along Webster Avenue; and
>
> iv. parking for the new building should be provided on site in an underground parking facility."

7. Response by the past president of the ABC Residents' Association to the 1983 Report "Revised North Midtown Area Plan" regarding the Ramsden Parks Works Yard and the church site at 243 Avenue Road

7.1 Ramsden Park Works Yard

Clarification was sought as to the proposal for the Works Yard, given the lengthy history of the site. The Ramsden Park Works Yard is designated in the Part I Official Plan as a Low Density Residence Area with a small area along Yonge Street as a Medium Density Mixed Commercial-Residential Area. The 1976 North Midtown Area Plans recommended redesignating the Works Yard as Open Space. No changes are proposed in the 1983 Revised North Midtown Area Plan, continuing to reflect the area planning objective that the works yard be relocated and Ramsden Park enlarged.

The 1975 North Midtown Proposals report stated Council's intention at that time that the Northern District Sanitation Yard in Ramsden Park would be consolidated into the Merton Street "super yard" and that the Ramsden Yard site would be added to the park. The

proposals report continues to recommend the site be zoned G and be included in an open space designation in the Part II Plan. Then, the Central Area By-law rezoned the Yard site to "G".

However, in October 1977 Council, on recommendation of the Budget Review Committee, dropped the Merton Street expansion, and asked that renovations of the existing Merton Street and Ramsden Yard facilities be considered. Then in early 1982, the Commissioner of Public Works submitted a redevelopment proposal for the Yard and requested the necessary rezoning to carry out the work.

The future of the Works Yard should remain a separate issue to be resolved through a working committee established by City Council in April 1982. The committee, consisting of area residents, ward aldermen and city officials, is looking at other workable alternatives to the present location and redevelopment proposals for the Yard. A public meeting will be held once the working committee has completed its investigations.

7.2 Proposed change in Zoning of the Church Site at 243 Avenue Road at Roxborough Street

The respondent is concerned that a rezoning from an R2 Z3 to CR L2 U150 in advance of knowing the possible use of the site offers less protection to area residents than keeping the R district zoning.

To better accommodate the concerns and yet permit a wider range of uses, the same approach for this site is now being proposed as for 121 Avenue Road. That is to rezone the site to CR but permit a more limited set of non-residential uses and limit permission for these to the existing designated building.

8. Responses by Toronto Redevelopment Advisory Council and the Canadian Institute of Public Real Estate Companies regarding the design guidelines included in the 1983 Report "Design Guidelines for North Midtown"

The Toronto Redevelopment Advisory Council and Canadian Institute of Public Real Estate Companies wanted to be assured that the proposed guidelines be clearly seen as voluntary and not mandatory. They also recommend the guidelines be clarified to refer to matters listed in Section 40 of the Planning Act.

After discussions with these groups, I am recommending some changes to the proposed Part II Plan and to the guidelines as proposed in the 1983 report. The first is to amend Section 2.2 of the Part II Plan to state that Council will "consider" rather than "adopt" design guidelines for the area. The guidelines have proven effective so far, without adoption by Council. The second

change is to replace Section 2.7 with the following, again replacing the concept of adopting guidelines with that of considering them in the review of development applications.

Appendix D lists the proposed changes to the guidelines in the 1983 report which emphasize the voluntary nature of the guidelines and clarify compliance with Section 40:

> "In order to assist in the meeting of objectives of this plan through redevelopment, it is the policy of Council to ensure that development applications in North Midtown are considered in the context of design guidelines for North Midtown or acceptable alternatives are provided that meet area planning objectives."

A number of guidelines have already been approved by Council and have been effective tools in the review of projects. These include barrier free guidelines, light view and privacy guidelines and guidelines for the McGill Granby, Port Industrial and Southeast Spadina areas. The guidelines provide valuable tools for developers and will enable them to anticipate the concerns of City Council prior to preparation of detailed plans. Planning reports on development applications should refer to how a project has been reviewed in the context of the guidelines.

These changes have been reviewed with the Toronto Redevelopment Advisory Council and the Canadian Institute of Public Real Estate Companies. In its letter dated September 10, 1984, the Toronto Redevelopment Advisory Council have agreed to these changes as being within the Planning Act. However, the Canadian Institute of Public Real Estate Companies in its letter dated December 7, 1984 continues to be concerned that the North Midtown Design Guidelines exceed what may be required under Development Review legislation. I am satisfied that the guidelines are appropriate. Further, the Canadian Institute of Public Real Estate Companies referred its concerns to the Ministry of Municipal Affairs and Housing, which has supported our position.

I am also replacing the second recommendation in the Design Guidelines report so as to ensure wider circulation and awareness of the Guidelines.

9. Responses by the ABC Residents' Association and The Stone Church regarding improvements to Scollard Street as proposed in the 1983 Report, Design Guidelines for North Midtown

The Scollard Street representatives of the ABC Residents' Association and the Stone Church generally support the improvements to Scollard Street as proposed in the 1983 Guidelines

report. However, they differ in terms of implementation. While there appeared to be a consensus in 1983 among community members, the Stone Church representative suggests that certain improvements may be premature, considering the number of future developments possible for the area.

Following a number of meetings, area residents and businessmen met on March 27, 1984 and July 26, 1984. The results of these meetings were that:

i. the lane adjacent to Stollery Park should be closed for the purpose of a pedestrian way;

ii. no action be taken with respect to the reversal of traffic flow on Scollard Street (between Bay and Yonge) at this time;

iii. as a priority, funding should be for improvement to the lighting on Scollard between Yonge and Hazelton; and

iv. funding also should be allocated for the improvement of Stollery Park.

The majority of those present at the July 26, 1984 public meeting agreed with the position taken by the Stone Church. However, the Stone Church, in its letter dated August 1, 1984, stressed that while they did not vote for widening of the sidewalk at this time, they agreed to the principle of widening and improving the sidewalk on the north side of Scollard Street as developments proceed in the future.

On October 15, 1984, Council approved By-law No. 723-84 to designate the lane adjacent to Stollery Park for the purpose of a pedestrian way. The bulk of the funding allocated for 1984 for improvements to Scollard Street, east of Bay Street, were carried forward into the 1985 Capital Budget for improvements for the Midtown area.

Recommendations:

1. That the recommendations contained in my May 5, 1983 report entitled "Revised North Midtown Area Plan" be approved subject as amended:

   (a) by amending recommendation 1:

      (i) to replace Map A as described in Section 1.3 of the North Midtown Part II Official Plan contained in the May 5, 1983 report with Map A contained in this report;

(ii) to replace the word "adopt" with the word "consider" in Section 2.2 of the North Midtown Part II Official Plan;

(iii) to replace Section 2.7 of the North Midtown Part II Official Plan to read:

"In order to assist in the meeting of objectives of this plan through redevelopment, it is the policy of Council to ensure that development applications in North Midtown are considered in the context of the design guidelines for North Midtown or acceptable alternatives are provided that meet area planning objectives."

(b) by amending recommendation 2(a) to replace the zoning district map (Map 4) in the May 5, 1983 report with Map 2 contained in this report.

(c) by replacing recommendation 3 as follows:

(i) That the City Solicitor be requested to prepare site specific by-laws to amend By-law 20623 for each of 121 and 243 Avenue Road, so as to restrict the permitted non-residential uses to the existing building and to the following: a day nursery, a nursery school, a church, a community health centre, premises of a charitable institution, non-profit institution, a community or social agency used for the purposes of providing a community service, a public library, a public art gallery or museum, a conservatory of music, a bible institute, a religious library or reading room, a branch of a bank or financial institution, a real estate office, a photographer's shop, a travel agency, a sample or showroom, a theatre, an auctioneer's premises, a security service, an administrative office of a non-profit institution of a religious, educational, recreational, fraternal or philanthropic nature, the office of a chiropractor or osteopath, an office of a professional person or persons such as a physician, barrister, engineer, architect, Ontario Land Surveyor, a business administrative office, the office of a town or regional planner who is a member of a recognized planning institute, association or organization, an artist or photographer's studio, a private art gallery, a commercial school and a craft school; and

(ii) that the City Solicitor be requested to submit a draft by-law to extend the use restrictions of Section 16(2)(191) to 728 Church Street.

2. That the recommendations contained in my May 5, 1983 report entitled "Design Guidelines for North Midtown" be replaced with the following:

"1. That on reporting on development review and rezoning applications in the North Midtown Area, I be directed to give consideration to the design guidelines contained in the 1983 report "Design Guidelines for North Midtown" as amended as set out in Appendix D of this report; and

2. That I be authorized to publish a guidelines booklet for North Midtown to include the guidelines and public improvements recommended in this report, and that the booklet be circulated to interest groups in the area, to the Toronto Chapter of the O.A.A., TRAC and CIPREC, and be available for architects, development consultants and developers, with projects in the area."

Stephen G. McLaughlin
Commissioner

JJ/clh/kj

APPENDIX A

MINUTES OF THE PUBLIC MEETING ON

THE NORTH MIDTOWN AREA PLAN

AND

DESIGN GUIDELINES

June 15, 1983

Present:

Alderman Ying Hope	Co-Chairman
Michael Sutton	Co-Chairman, Planning Board
Alderman Walker	Planning Board
Fernando Costa	Planning Board
Marya Gates	Planning Board
Leroy Grant	Planning Board
Phil Biggin	Planning Board
Alderman Kanter	
Audrey Jardine	Ald. Rowlands' Assistant
John Jung	Planning Staff
Bronwyn Krog	Planning Staff
Cathie Macdonald	Midtown Program Manager

Approximately 60 area residents and interested parties

Alderman Ying Hope began the meeting at about 7:45 p.m., introducing the members of the Board present, the Aldermen and the planners. He explained that the North Midtown Area Plan work began before the Central Area Plan was completed and has been dormant for about 4 to 5 years. He noted that the purposes of the North Midtown Area Plan have been to both control and attract good development.

John Jung made a presentation on the Area Plan and Design Guidelines by means of a slide show. He began with a description of the contrasts in the area in use and form. He noted the opportunities available through new development such as streetscape improvements, opening views and preservation of ravines. Guidelines, he said, are effective tools in achieving these objectives.

He explained that the purpose of the meeting was to receive comments for a final report to the Planning Board. He outlined the history of the North Midtown Area Plan as follows:

The Plan was adopted in principle by Council by 1976.

In 1980, a report "Comprehensive Review of the North Midtown Area Plan" was submitted to the Planning Board asking for comments from area groups and residents.

This May 1983 report updates and comments on the previous reports.

He added that much had been implemented from the past planning work through the Central Area Plan and By-law. He explained that the North Midtown Area Plan includes the Part II Plan itself, amendments to the Zoning By-law and also two important tools for implementing planning objectives - the beginnings of the Streetscape Improvements Plan and a companion report on Design Guidelines.

He outlined the contents of the North Midtown Area Plan report with the major elements are as follows:

1. The residential pockets in North Midtown are recommended as Areas of Special Identity in the Part II Plan. Bill 159 (to replace existing Planning Act in August '83) introduces a new provision that permits a municipality to extend its powers of review to residential proposals containing less than 25 dwelling units if the proposal is located in an area specifically designated in the Official Plan.

2. Built form controls are proposed as guidelines rather than Zoning By-law provisions, which by nature are less flexible.

3. The split level entrance prohibition is extended through CR Districts.

4. Changes to provisions for the Asquith Collier Area: Block bounded by Church, Asquith and Collier which was a Medium Density Mixed Commercial-Residential Area (Part I Official Plan) and zoned R3 Z3. This area is more appropriate as a Low Density Residence Area, which permits the existing church. Also, 21 Park Road is designated as open space.

5. An increase in residential density is proposed from U100 to U150 in CR districts (Davenport and Yonge, North of

Ramsden Park) because a larger number of smaller units appropriate in strip developments. The height limit is unchanged.

6. A change from Medium to Low Density Mixed Commercial-Residential Area decreases residential density and increases commercial density on Yonge between Cumberland and Scollard (i.e. from CR L1.5 U250 Height 46 metres to CR L2.5 U150 Height 14 metres) to encourage retention of existing 3 storey historic buildings while permitting some expansion.

7. The churches along Avenue Road at Roxborough St. West and Webster, designated a Low Density Mixed Commercial-Residential Area in both Part I and II Official Plan and zoned R2 Z3 and R3 Z3, are proposed now as CR L2 U150 with proviso of limiting permitted commercial uses uses to ensure compatibility with adjacent houses.

8. Davenport Terrace is upzoned from CR L0.5 U150 to CR L1 U100 and built form controls are applied by way of guidelines.

9. Belmont Street use restrictions permit 2x the lot area for commercial uses. City Council recently amended by-law to restrict certain incompatible commercial uses.

10. Scollard Street use restrictions are now contained in the Zoning By-law. Restaurants and taverns for example are prohibited.

11. The Fishleigh By-law, which prohibited uses not compatible with adjacent residential areas, was replaced by By-law 716-82, which continues tje important prohibitions.

12. The main issues related to the Canadian Tire Site include overshadowing of ravines; maintaining views out from subway trains; reinforcing traditional low scale on Yonge; ensuring public review of the site, especially with respect to the ravines by means of zoning the City-owned portion of the site CR L1 U150 as a "holding zone".

13. Since height is an important measure of scale, some areas have been adjusted to 10 metres from 12 metres to maintain the integrity of the streetscape. The Yonge-Yorkville Area of Special Identity has two height limit changes: from 46 metres to 14 metres along Yonge Street; and from 46 metres to 30.5 metres along Bay Street.

14. Pedestrian level wind and shadow impact studies are proposed to be submitted for major projects. While the Planning Act makes no reference to control of sun and wind conditions, Section 40 permits evaluation of location, conceptual design and massing.

15. The Comprehensive Streetscape Improvements Plan.

Mr. Jung explained the maps in the report, showing Areas of Special Identity, changes in land use designations, pedestrian routes, Zoning By-law districts, height limits, and split level entrance provisions; and the beginnings of the Comprehensive Streetscape Improvements Plan.

He then described the Design Guidelines. He explained the purpose, major elements and gave illustrations of the guidelines. These are included as an appendix to these minutes.

He concluded the presentation by noting that after the public meeting, staff would prepare a report to the Planning Board on final recommendations. This report would go to the Land Use Committee and draft by-laws would be prepared to implement necessary changes. Also, the Design Guidelines would be adopted by Council.

Michael Sutton then took over as chairman for the question period.

Janet Sugarman - What were the grounds for decisions about hours of sunlight and wind levels in the Design Guidelines?

John Jung replied that wind conditions in relation with buildings have been studied for a number of years but there is no "standard" of what is a good pedestrian comfort level. The North Midtown Guidelines try to establish an acceptable limit. However, alternatives could be acceptable if shown to be better. He explained that the two hour sunlight provision was established because in some locations, not much more can be achieved. The two hour limit is for March and September. In winter, it is very difficult to ensure that sunlight reaches balconies and yards. In summer, it is much easier.

Henry Saunders, 32A Park Road - He questioned the closing of the laneway beside Stollery Parkette. He uses it to make a left-hand turn to go downtown. The only alternative is at Yonge and Asquith.

John Jung replied that we all use this lane, but it also is not a street and it is in a dangerous location for making turns. The idea of an enlarged park is appropriate, but he added that the report says the proposal for closing the laneway should be

considered as part of the Comprehensive Streetscape Improvements Plan. It should be discussed further with area residents and City officials.

Henry Saunders - He questioned the guidelines about setting back buildings on Yorkville beside the clock tower and Library and Fire Station. Would part of the Mercedes building be cut off?

John Jung explained that the guideline would apply to site redevelopment and that discussions with potential developers have indicated that the additional setback is acceptable.

Henry Saunders - He felt that after ten years of complicated and thorough planning studies, the schedule was showing two important meetings in July and August when people were out of town. Could there be more convenient dates?

Michael Sutton replied that it is desirable to ensure that the protective guidelines are adopted and in force and we should proceed as quickly as possible.

Budd Sugarman, 19 Hazelton - What does an "area of special identity" mean, and what legal strength does it hold?

John Jung said that these areas provide opportunities to reinforce and maintain what is unique and direct what should happen. Michael Sutton added that planners identify these areas and then establish special controls for each area. John said eight such areas are proposed. Each is different, and different guidelines relate to each area. Under Section 40 of the Planning Act, the City has power to review projects. The guidelines are to assist developers, the City and the area residents.

Budd Sugarman - The Building Code requirement should relate to guidelines.

John Jung replied by stating that he would be taking the guidelines to the other departments, including the Buildings Department, for comments.

Budd Sugarman - He was concerned about split level entrances on Hazelton Avenue and that there shouldn't be any more permitted because they detract from the street. He added that Village of Yorkville already covers Hazelton and Scollard - why did the diagram show a separate status for Hazelton and Scollard?

John Jung replied that the areas are different because the uses are different - active vs. passive - and that staff were dealing with developers on these differences.

Budd Sugarman - He was concerned about large scale buildings on Scollard and about the control through building permit applications.

Michael Sutton - He asked about the effectiveness of guidelines rather than provisions in the Zoning By-law.

John Jung replied that it was not necessary to apply Zoning By-law provisions but use guidelines under Section 40 of the Planning Act.

Michael Andoff, resident of Scollard St. - He asked whether the "areas of special identity" in the Area Plan related to areas for Sunday openings.

Cathie Macdonald replied that these were totally different. The Sunday openings areas are controlled by the Province and the "areas of special identity" in the Area Plan are established as the basis for development controls.

Hal Harvey, ABC President, 30A Bishop St. - He asked about the area plan with respect to the Ramsden Park Works Yard and felt that the Area Plan dodged the issue of the Works Yard.

John Jung replied that the land was zoned G which didn't permit a works yard and the issue was therefore not skirted. Cathie Macdonald briefly explained the history of the decision of Public Works Department to proceed with a works yard on the Ramsden Park site rather than at Merton Street and noted there was, at present, a working committee to make recommendations on the future of the site. She said there will be full public discussion of the issue and that in the end, Council decides. Alderman Hope added that if the G zoning is re-affirmed, then the yard would have to move.

Al Kaszuba, Resident, Webster Avenue - He noted the change of zoning north of Webster for an area zoned R to CR. He was concerned about a developer building a 12 foot wall behind his backyard.

John Jung explained that a project had been submitted for this area about two years ago. It was a mixed use project with townhouses at the rear of a mixed use building. The project was subject to development review and an application to the Committee of Adjustment, because of the R zoning. He said the project had been redesigned to permit open space and privacy for the Webster Avenue residents. The project has not yet been approved by Council because of a change in ownership. The proposed zoning line follows property lines so that unnecessary applications for variances are avoided. Alderman Hope added that Mr. Kaszuba was saying that the CR district line is too far south. Michael Sutton

concluded that this line should be reviewed and commented on by the planners.

Seth Cechetto, Stone Church - He asked about the Design Guidelines. If provisions were in a by-law, there is due process and rights on either side, but what course of appeal is open for guidelines?

Michael Sutton replied that in previous proposals for the area, the controls were written as by-law provisions but now are ion the form of guidelines since the City has development control powers.

Budd Sugarman - He had understood an Area of Special Identity was an area where all the City's controls were taken off and a committee was set up to review development projects. This gave an opportunity to see a project before the Buildings Department reviewed it, to make early recommendations on changes. He explained that he was working on a house in the Shaughanessy area of Vancouver and each project had to go through a Shaughanessy residents group.

John Jung explained that Council's adoption of the guidelines would give planners the mandate to use these guidelines. The guidelines follow from Areas of Special Identity statements which give planning objectives for the area. However, the City has no control over building materials or architectural integrity. Section 40 gives other kinds of powers.

Charles Portanier, 20 Webster Avenue - He supported deferral of consideration until the fall. He then asked who to appeal to regarding the guidelines. He objected to some of the guidelines as contrary to residents' views and would like to meet with Aldermen, especially about St. Paul's Church.

Michael Sutton said that he should write a letter to the Planning Board or speak to the planners. John Jung added that the purpose of the public meeting was to hear comments.

Janet Sugerman - She supported the objectives of the Plan to "non-Manhattanize" the area. She was concerned about Bloor Street and the fact that the University Theatre wasn't addressed. She asked how that application could exceed the guidelines.

Michael Sutton explained that the University Theatre application was for variances to approved provisions and therefore had to go through its own review process. Ying Hope added that deputations will be heard at the Land Use Committee on June 28th at 11:30 on a report on guidelines for the University Theatre. Michael Sutton suggested that Ms. Sugerman could be put on the mailing list for that project.

Carson Woods, Architect - He wanted the next meetings on the North Midtown Area Plan to take place in September.

Alderman Hope said yes, if that was possible.

Carson Woods - He was concerned about red tape at City Hall and asked how the Midtown reports related to the Mayor's Task Force to reduce red tape. He noted that in recent applications he'd made, it took a considerable amount of time for processing.

Michael Sutton - He introduced Phil Biggin and noted that there were usually three members of the Planning Board attending meetings like this and now there are six, showing the interest the Board has in the North Midtown planning process.

Audrey Jardine, Assistant to Alderman Rowlands - She noted there was a problem with development review because residents don't understand their role in the process and how little input they actually have into process.

John Jung explained that in Official Plan applications, there was one kind of process involving the Planning Board and Land Use Committee. For rezoning applications, the Land Use Committee is involved. The development review application process is different. The developer may deal with the planning staff only or there may be area resident participation. Many planners discuss the applications with the Aldermen and meet with residents. Also, comments by residents can be submitted on contentious applications by way of deputations to Land Use Committee.

Michael Sutton came to the defence of the development review and guidelines process, being concerned that we could end up with boxes if all provisions were put in the Zoning By-law. Guidelines gave a much more flexible approach.

Leroy Grant - He explained that the new Planning Act coming into effect in August required a municipality to put areas subject of site planning control in the Official Plan, to meet concerns about what the municipality was doing with development control.

Christa Falkenberg, Village of Yorkville Assocation - She commented on the concise and fantastic presentation by John Jung. She noted that her association was working to achieve a business improvement program in the area. She asked if there was a standard procedure to go through. She felt that ideas of the Village of Yorkville members overlapped with the City's ideas. Could both groups get together?

John Jung explained that the Streetscape Improvements Plan was a very sketchy idea. The area people and staff should discuss the different opportunities available.

Christa Falkenberg - Should I say to the Village of Yorkville Association that the City will work together with money and time and implementation? One example is Cumberland sidewalk improvements. Businessmen would be concerned about interruptions to business through construction.

John Jung agreed that there should be co-operation.

Edgar Baumunk, 203 Marlborough Place - He asked how changes would be made to area designations. He was concerned about the potential development of apartment buildings on Marlborough Place.

Michael Sutton noted that no changes are proposed for the Marlborough Place area.

Michael Andoff - He was pleased with the general bias of the report. The overriding concern was the pedestrian and shoping environment sharing with cars and street level activity.

Edgar Baumunk - He asked about the procedure. If any changes were to be made to designations on his street, how would people be notified.

John Jung replied that if there was a rezoning or an Official Plan amendment application, people on the street would be notified and there would be a public meeting.

Alderman Kanter - He said that Ward 5 was the area most affected by the Plan. He noted that there had been a tremendous amount of material presented at the meeting in a very effective way. He agreed with Michael Andoff that there were a lot of good things in the Plan. An example was the reduced height limits on Yonge Street and reduced height limits for residential streets. He noted the concerns of Mr. Kaszuba and Mr. Harvey. He added that planning is an ongoing process and that we need to be flexible. He felt that it would be unreasonable to complete discussions during summer and will push for Land Use hearings in the fall. He concluded that at this point, the process begins to move into a political forum.

Alderman Hope then concluded the meeting noting that the process will continue in September.

The meeting adjourned at about 10:00 p.m.

Land Use Committee February 6, 1985

ATTENDANCE OF PUBLIC MEETING

RE NORTH MIDTOWN AREA PLAN & GUIDELINES

June 15, 1983 - Metro Library

NAME	ADDRESS
S. Barker	51 Madison Ave.
J. Bentz	341 Lippincott St.
R. L. K. Smith	20 Queen St. W.
K. White	1883 Yonge St.
J. Milner	137 Collier St.
F. E. Dundas	146 Collier St.
Mrs. F. E. Dundas	146 Collier St.
C. Portanier	20 Webster Ave.
B. Jensen	Aird & Berlis, 145 King St. W.
T. Kaszuba	14 Webster Ave.
A. Kaszuba	14 Webster Ave.
E. Mikel	24 Webster Ave.
H. Harvey	30A Bishop St.
J. Kimber	131 Bloor St. W.
Mrs. J. Kimber	131 Bloor St. W.
O. Zendel	146 Bloor St. W.
G. Alexander	40 University, 4th Fl.
M. McCrae	Holt Renfrew, 50 Bloor St. W.
J. A. Curtin	69 Astley Ave.
N. B. Anson	120 Rosedale Valley Rd.
C. Falkenberg	Village of Yorkville Residents Assoc.
R. Hahn	55 Bloor St. W.
M. L. Flynn	145 King St. W.
S. Cechetto	111 Hollywood Cr.
E. McNutt	45 Davenport Ave.
M. & M. Andoff	30-32 Scollard St.
Wm. Roberts	Stone Church
H. R. Sanders	32A Park Rd.
A. Sugarman	600 Palmerston Ave.
E. Flood	120 Bloor St. E.
R. Barnett	121 Avenue Rd.
E. Baumunk	203 Marlborough Place
D. Zifken for Mohsen Djelweh	2nd Fl.,24 Bellair
J. Ozoowski	12 Webster Ave.
R. Hebert	243 Avenue Rd.
A. Theobald	620 Jarvis St.

APPENDIX B

1. Letter from Joel E. Shaw, Barrister-at-Law dated June 13, 1983

"I do not expect to be at the public meeting this Wednesday, but wish my comments to be on record and specifically would like to have a reply to them. It appears to me the two reports are conspicuous by their total silence on the Ramsden Park Works Yard and both its existing use and proposed expansion.

I am concerned and bothered by the omission of any comment on that operation when you are supposedly trying to impress the area residents with the thoroughness and consideration you would have us believe has gone into the reports.

You must be aware there is at present a working committee on this very subject, its very purpose is because of the opposition to the existence and proposed expansion of the facility, and to simply ignore and make no comment or proposals is to avoid dealing with an area of great concern to the nearby residents. I cannot accept that your reports are meant to deal with the north midtown area when you do not deal with the use of those facilities, if your omission is simply to recognize that it is the subject of ongoing concerns and opposition. If your reports are supposed to be guidelines and are intended to preserve and promote the residential character in the north midtown area consistent with reasonable business uses, it appears to me a deliberate avoidance of an area where the Planning and Development Department could and should be expected to either give direction or at least record that the subject is so undecided as to call for specific input and discussion. How can you propose to put together a thorough report on the future use of all of the land in the area when you deliberately avoid dealing with this contested issue?

My second concern is the proposed change in zoning of the church site at 243 Avenue Road, at Roxborough Street. It appears the City has backed down on its proposal to maintain a R2 Z3 zoning to rezone the entire site CR L2 U150. I may be in error in the following understanding, but it is my understanding that that site, being historically designated, has no requirement for parking and would have that exemption with the proposed change in zoning. The sidestreets of Roxborough and MacPherson are the subject of parking saturation as a result of the system of issuing parking permits by areas, and I object to a rezoning in advance of any actual known, proposed re-user of the site. Surely it would give the City and the area residents greater protection in dealing with any new purchaser of the site if the purchaser

did not have that exemption - as I understand he would - but instead had to deal with the area residents when the time came to disclose the proposed use. The illegal parking which results when 243 Avenue Road is in maximum use is sufficient testimony for the need to control the use of that site with greater regard for the street residents of Roxborough and MacPherson."

2. Letter from Goodman and Carr dated June 14, 1983

"Please be advised that we are solicitors for the owners of the property containing approximately 61,625 sq.ft. located at the south-east corner of Davenport Road and Avenue Road. On behalf of our clients we have reviewed the Revised North Midtown Area Plan dated May 5, 1983 and the Design Guidelines for North Midtown dated May 5, 1983. After reviewing these documents we would advise that our clients have no objection to the Staff recommendations. Accordingly, we wish to advise your Planning Board of our clients' support for the recommendations as put forward for review.

As our clients take no objection to the proposals now being put forward, it is not our intention to appear on behalf of our clients in deputation at the Public Meeting. However, Ms. Mary Flynn, a solicitor with our firm, will be in attendance at the Public Meeting and will be available to answer any questions which members of the public, the Planning Board or its staff may have with respect to our clients' property. While Ms. Flynn will not be seeking to speak in deputation, we would like to reserve the right for Ms. Flynn to answer any questions or respond to issues should they be raised by other parties during the course of your Public Meeting.

Your acknowledgement of our clients' position in this matter would be greatly appreciated."

3. Letter from Goodman and Carr dated June 17, 1983

"As previously advised, we are solicitors for the owners of the property containing approximately 61,625 sq.ft. located at the south-east corner of Davenport Road and Avenue Road. On the 15th of June, 1983, on behalf of our clients we attended the Public Meeting called to consider the Revised North Midtown Area Plan and the Design Guidelines for North Midtown. We would advise that we were pleased and impressed with Mr. John Young's presentation and wish to confirm to your Planning Board our clients' support for the recommendations as put forward at this meeting.

During the meeting a representative of the Webster Street residents objected to the proposal for a minor zoning change for our clients' property. The zoning change consisted of designating all of the site CR in recognition of the existing property boundaries. Our clients appreciate the residents' concern and have asked us to assure you that any proposal put forward by our clients will deal with this problem in as sensitive a manner as is possible. We would, however, stress to you the importance of establishing one zoning designation for this site in order to maintain the integrity of the site and comply with the Official Plan policies for this area.

Please be advised that we are prepared, on behalf of our clients, to participate in any discussions with your Planning Staff or the area residents concerning this matter. Kindly advise us of any further developments."

4. Letter from Alderman Ying Hope dated June 21, 1983

"I draw your attention to the recent public meeting sponsored by the Planning Board wherein the Revised North Mid-Town Planning proposals were presented and comments heard.

With particular reference to the site known as St. Paul's Avenue Road Church which is currently zoned Residential, but is proposed to be zoned CR L2 U150 (mixed commercial residential), the concern has been expressed by a number of the concerned residents, which, as you know, has had a long standing battle with the present owner of the church building over the matter of uses and potential conversion to a commercial and residential structure.

Until the current issue is amicably resolved between the owner and the abutting residents, I would ask that there be no change whatsoever in the new proposal for this location."

5. Letter from Joel E. Shaw, Barrister-at-Law dated July 20, 1983

"I would like to comment briefly on your July 12, 1983 letter.

I think you may have missed my point in commenting on the Ramsden Park subject. I note that halfway down the second page of your letter, when talking about the 243 Avenue Road Church site, you talk about "the planning objectives" of your department.

That is exactly what I was complaining about when directing you to the way you have handled Ramsden Park. You do not make

any comment about your department's "objectives". It is as if you had none, or are afraid to comment on them because the subject is too political. Your department in part exists in order to ascertain and implement objectives, and it seems to me you were deliberately avoiding dealing with the subject of the park other than to state, in stark terms without any support or reinforcement, that the land is zoned G.

Anybody can read the zoning map and see that zoning, but since we know that the public works yard is there, it is obviously an issue as to whether it should be there in light of that zoning. And so the whole point of my directing you to the omission of any substantive comment about the park at all, is that you seem to deliberately avoid discussing any long term objectives for the park. Although the zoning is there, it was not even commented on in the body of your Revised Plan and Guidelines. It simply appears designated as G on the zoning map.

In other words, it appears to me you have abdicated your responsibility in commenting on what the department sees as the objective to be sought.

Dealing with the church site, we have a difference of approach and I wish my position to be on record. It appears you are offering the owners a rezoning so that they would not have to rezone if they sold the site and the purchaser had some other use in mind other than residential or as a church. The whole point of my June 13 letter is that if there is to be a rezoning, it should not be given to them now, gratis. You state that the "planning objectives are to retain the church building and to permit its use for a purpose compatible with the adjacent residential area". I submit to you that you have a greater guarantee that the area residents will be protected in the compatibility if the rezoning, which you say is going to be necessary, is not given to them now but only when that use is proposed and ascertained."

6. Letter from Toronto Christadelphian Assembly (Central) dated August 26, 1983

"In a telephone call on August 9, 1983 I spoke to Bronwyn Krog about my concern with regard to one of the changes in zoning proposed in the Commissioner's Report (533/72008-2 CC&W/Midtown) dated May 5, 1983.

On page 4 of the Report under Item 3.1, it is proposed that the part of the block bounded by Church, Asquith and Park Road which is occupied by the Christadelphian Church be re-zoned to

"Low Density Residence" from "Medium Density Mixed Commercial-Residential".

May I respectfully suggest that the zoning for this area remain unchanged. I would suggest to you that to change the zoning for this small area to "Low Density Residence" would result in reducing the resale value of the property to virtually nil. For a number of possible reasons, it may in the future become necessary for the Congregation to relocate and to sell the property at 728 Church Street. The possibility for selling a small building for use as a Church in this location would be extremely limited.

However, the building could be modified for use as professional offices suitable for Architects, Accountants, etc. As such it would continue to be an asset to the community and would continue to serve, as it does now, as a buffer between the residential area to the north and the high rise commercial area immediately to the south, east and west. I believe such a use would be quite acceptable to the Asquith-Collier Residents and that the zoning should allow for this type of occupancy.

I would appreciate an opportunity to speak to this at the appropriate time."

7. Letter from R. E. Barnett Architect dated September 8, 1983

"St. Paul's Square is preparing a response to the North Midtown Proposals with respect to our property at 121 Avenue Road.

We would appreciate a few weeks notice before discussion by the Committee to prepare a deputation and finalize our response."

8. Letter from Alderman Ron Kanter dated September 14, 1983

"I would like to thank you for the copy of the revised North Midtown Area Plan which I received recently.

As you will recall, certain aspects of the plan relating to Webster Avenue were discussed at a meeting of local residents which you called on August 16th. At that meeting, it became apparent to me that there was some concern about the proposals relating to St. Paul's Church, 121 Avenue Road (pages 7 and 8 of the Revised Midtown Area Plan).

At the meeting, an alternate proposal was made by the residents as follows:

1. List of commercial uses for the Avenue Road frontage acceptable to both the Webster Avenue residents and the applicants should be drawn up.

2. Plans for the proposed redevelopment for the rear of the site should be drawn up and shown to area residents prior to any application for rezoning of the property to mixed-use commercial/residential zoning.

I believe that this approach would be more satisfactory to the residents than your proposal that the site be rezoned to mixed commercial/residential use immediately.

I am interested in your comments on this proposal."

9. Letter from R. E. Barnett Architect dated December 9, 1983

"St. Paul's Square Inc. is the owner of lands known municipally as 121 Avenue Road.

We have had an opportunity to review the report of the Commissioner of Planning and Development dated 5 May 1983 entitled "Revised North Midtown Area Plan". We are not in a position to comment upon all aspects of the report and trust that it is not necessary to do so at this time. We have, however, considered the zoning of our property as proposed in the report. We welcome and strongly support the proposed zoning. In our view, the proposed CR L2 U150 designation is appropriate and consistent with the Low Density Mixed Commercial/Residential designation of the property provided for in the City of Toronto Part I Official Plan. In addition, the proposed zoning designation is consistent with the zoning designation of adjoining properties on Avenue Road. We look forward to an opportunity to further discuss the report recommendations at a later stage in the planning process."

10. Letter from Toronto Christadelphian Assembly (Central) dated February 9, 1984

"This letter is to confirm our telephone conversation with regard to the re-zoning of the property at 728 Church Street.

We have agreed that the re-zoning to CR L2 U150 as now proposed in C. Macdonald's letter of November 24, 1983 meets the needs as outlined in my letter of August 26, 1983.

Would you please advise when this re-zoning is in effect."

11. Letter from Asquith Collier Association dated August 21, 1984

"Further to the July 30th, 1984, meeting of our Executive at which your Mr. Jung was present, we confirm that our Association supports the City's intent to re-zone the above-referenced property as CRL1 U100 with permitted uses restricted to the old Fishleigh bylaw uses. It is our understanding that such zoning will permit commercial coverage of only one times the site area. We also reiterate our concerns that any signage on the building be restricted."

12. Letter from Toronto Christadelphian Assembly (Central) dated October 19, 1984

"This will confirm our telephone conversation today with regard to the re-zoning of the property at 726 Church Street.

While we would prefer the designation CR L2 U150 proposed in C. Macdonald's letter of November 24, 1983, we are prepared to accept the designation CR L1 U100 as suggested in the letter of August 20, 1984.

I understand from our conversation and from C. Macdonald's letter of August 20 that, should redevelopment become necessary in the future, a CR L2 U150 could be achieved at that time through re-zoning."

13. Letter from Alderman Ying Hope dated December 7, 1984

"I have spoken to Mr. Portanier and Mr. Kaszuba regarding the attached letter.

They agree that it reasonably reflects what transpired at the meeting of September 25th.

It is understood that the long list of uses on Page 3 and 4 are uses which Webster residents may consider acceptable but all proposals at this address would be brought to residents for their input and discussion."

14. Letter from Alderman Ying Hope dated December 14, 1984

"This will confirm your latest inquiry regarding the above.

I have spoken to Mr. Portanier and Mr. Kaszuba regarding the meeting of September 25, 1984.

As I recall, they generally agree that the uses listed on pages 3 and 4 of the minutes would be considered acceptable to Webster Avenue residents.

This is based on alternative 3 of your report."

APPENDIX C

1. Letter from Toronto Redevelopment Advisory Council dated June 13, 1983

"We wish to advise you that we object to the detailed design guidelines set out in the above report and would request that your Board not adopt them.

Firstly, we regard them as being of doubtful legality. They do not appear to fall within the provisions of Section 40 of The Planning Act and they also seem to prejudge any review of development in a manner that virtually gives City officials the power of law in rejecting developments that they regard as inconsistent with their objectives. Any review should clearly be confined to the purposes for which the review is authorized by the legislation and should be a genuine assessment of the merits of the application for these purposes.

We would also suggest that it is undesirable to attempt to impose pre-conceived ideas on the design of buildings to the extent proposed. It is important to give the architect of any building room to come up with a good design, and the owner the opportunity to ensure that his building is appropriate to the needs of its occupants. Their talent and initiative should be respected and their proposals be looked at as additions to the City. They require freedom to exercise their skills within the general framework provided by the law and should not be subjected to wide-ranging additional controls that would place them in a straight-jacket.

Should the Planning Board consider that Design Guidelines are required at all we suggest that they be limited to clarifying the items listed in Section 40 of the Act."

2. Letter from Canadian Institute of Public Real Estate Companies dated June 15, 1983

"It has recently been brought to our attention that you are considering the adoption of a detailed set of design guidelines for North Midtown Toronto.

This major change could serious impact on the ability of certain of our members to operate effectively.

The matter is to be discussed at our next Directors meeting on June 24th.

I trust that subsequently we might have an opportunity to present our views to the Board."

3. Letter from Toronto Redevelopment Advisory Council dated July 13, 1983

"Thank you for your letter of above reference. As you can gather, John Jung and I had a long conversation about the illegality of the course of action proposed by the Planning Department in its paper "Design Guidelines for North Midtown" dated May 5, 1983.

As you know, Sec. 40(4)2.(c) of the Planning Act 1983 specifically excludes from development review "the layout of interior areas, other than interior walkways, stairs and escalators referred to in clause (c), the colour, texture and type of materials, window details, architectural detail and interior design". Some of the proposed Design Guidelines for North Midtown include these items which the legislation specifically excludes.

On the other hand the Design Guidelines for North Midtown include items such as heights, set backs, building envelopes, parking and loading requirements which are already specified in the Zoning By-law. Other items such as those specified in Sec. 40(7) of the Planning Act 1983 are also set out.

If those items which Sec. 40(4)2.(c) specifically excludes from development review were also removed from the Design Guidelines for North Midtown, City Council would, in my view, be on much firmer ground in issuing the guidelines. At Annex A is a list of deletions or excisions which would help in accomplishing this.

If City Council does not wish to make the suggested deletions, consideration could be given to printing them in italics and annotating the italicized portion with the remarks "words in italics are specifically excluded from development review Planning Act 1983 Sec. 40(4)2.(c) and are in no way to be considered mandatory".

Matters which are not set out in the Official Plan, Zoning By-Law or Planning Act, such as bicycle parking standards should be set aside until the appropriate zoning by-law has been passed.

Because the phrase "design guidelines" quickly conjures up suggestions of illegal action on the part of City Council it would be wise to seek some other name eg., "Compendium of

Assistance to Interpreting the Zoning By-Law". This begs the question that the Zoniong By-Law is written in such turgid, legalistic phraseology that it is not clearly comprehended by those seeking to undertake development in the Central Area. You will recall that Alderman Sewell, when he was Mayor, initiated a study to rewrite the Official Plan and Zoning By-Law to improve its clarity of expression. It seems to me that the document proposed for North Midtown, if amended along the lines suggested above would be helpful in improving the clarity of expression which is obviously lacking in the currently available information for owners and developers and their architects.

Accordingly Section 2, 7 could be written:

'In order to assist in the meeting of objectives of this Plan through redevelopment, it is the policy of Council to:

a) authorize publication of a document "Compendium of Assistance to Interpreting the Zoning By-Law" for the review of projects in the North Midtown Area;

b) report on how a development application in North Midtown complies with information in the Compendium, or provides an acceptable alternative that meets area planning objectives'.

I should like to tell you how grateful I am to you for affording me the opportunity to comment on the proposed Design Guidelines for North Midtown at this stage of their development."

"Annex A.

Suggested Deletions to bring Design Guidelines for North Midtown into conformity with the Planning Act 1983.

Reference	Deletion
3.3(f)	Cornice lines, roof lines, window design, floor levels, colour and materials used.
3.3(h)	use and type of materials,..... fenestration and roofline design, colour
3.3(i)	colour
4.2(a)(ii)	coloured cloth
4.3 (d)	Whole Section

4.3 (e)	design and
7.2 (c)	Whole section
9.2 (b)(ii)	coloured cloth
9.3 (a)	be designed to
9.3 (b)	and designed
9.3 (c)	and designed
10.3 (a)	and designed
10.3 (b)	and designed
10.3 (c)	and designed
11.2 (b)(ii)	coloured cloth
12.2 (a)	coloured cloth"

4. Letter from ABC Residents' Association dated August 15, 1983

"This letter is to request immediate, short term, and permanent public improvements to Scollard Street, between Yonge Street and Bay Street.

The 'Yorkville-Yonge' area of special identity would be valuably enhanced by the creation of Scollard Street as a passage with pedestrian priority. There is considerable need for redevelopment in this area. At the present time this area could almost be looked upon as a 'blank canvas'.

Through the proposed North-Midtown Design Guidelines and further civic courage to implement new ideas, Scollard Street could become an example to future developers of the (value) importance of a street with a truly human(e) atmosphere.

Scollard Street is presently being used as a left-turn route from Yonge Street northbound to Davenport Road westbound, and as a left-turn route from Davenport Road/Church Street westbound to Bay Street southbound via the 'Stollery' laneway.

SCOLLARD STREET IS A LOCAL STREET AND THROUGH VEHICULAR TRAFFIC MUST BE DISCOURAGED.

IMMEDIATE MEASURES

1.) Closure of 'Stollery' laneway

2.) Reversal of Scollard Street traffic flow; westbound one-way to eastbound one-way.

SHORT TERM MEASURES

1.) Current sewer construction on Scollard Street has left considerable damage to both street pavement and sidewalks. Repairs should be of a temporary nature

(asphalt) in anticipation of more comprehensive improvements.

2.) Tightening Scollard Street at Yonge Street, possibly with a planter box arrangement to physically deter left turns onto Yonge Street and to visually indicate the no entry status of Scollard Street.

3.) Tightening (physically and/or visually) Scollard Street at Bay Street to deter through traffic by implementation of one or more of the following methods;

a.) A planter box arrangement

b.) Pavement graphics

c.) Signage ie. "Local Street - No Through Traffic"

PERMANENT MEASURES

1.) The widening of the north sidewalk and the narrowing of the pavement on Scollard Street. The present road width is 28 feet. The one-way status of this street could possibly allow for less than the customary 24 feet road allowance.

2.) The permanent redesign of Stollery Parkette to include the closed laneway.

3.) Permanent curb and planting installations to tighten Scollard Street at both Yonge Street and Bay Street.

4.) The raising and/or texturing of the pedestrian crossings at Scollard Street and Yonge Street and at Scollard Street and Bay Street. This could have the effect of not only being a visual alarm but a speed bump as well.

5.) The installation of pedestrian level street-lighting, more suitable to a CR district.

On Thursday August 04 1983, a majority of home and business residents of Scollard Street, as well as both Ward 5 Aldermen, attended a local meeting. The above requests represent the unanimous position of those attending, with the understanding that access of vehicles for snow-removal, garbage-pickup, and deliveries will not be impeded."

5. Letter from The Stone Church dated September 26, 1983

"This letter is in reference to the proposed improvements to Scollard Street as noted in the May 5, 1983 "Design Guidelines for North Midtown" and Mr. M. Andoff's August 15, 1983 letter. The Stone Church Pentecostal Assembly agrees in principal with all efforts directed towards making Scollard Street a more attractive and humane location. Widening the north sidewalk, redesigning of Stollery Parkette, etc., would certainly enhance the street's image.

However, the character of the street is still greatly dependent on several developments (including our own) that are yet pending. In view of the few residences and retail businesses currently on the street, it seems inappropriate to expend the City's resources on Scollard Street at this time, when there are so many pressing needs elsewhere. In addition, any physical changes in the near future might impede construction vehicle access or be damaged by the process.

The elimination of curb parking on Scollard Street at this time would go against the "Design Guidelines" objective to increase public parking spaces. Narrowing of the street would also impede our bus's access to our parking lot, and narrowing of the entrances at Yonge and Bay would make it difficult to negotiate the bus through the turns.

We look forward to further discussing these issues with the various interested parties. Discussion might be more fruitful after proper traffic studies on Scollard Street have been made by the City."

6. Letter from The Stone Church dated August 1, 1984

"At the meeting on Thursday night, July 26th, Pastor McNutt and I voted, on behalf of Stone Church, in favour of the concept of widening the north sidewalk. There was however a great deal of controversy and a lot of input, not all of which was clear or pertinent. To be sure our position is clear, I would like a record of just what we favour, and what we did not vote for.

We voted for the principle or concept that thesidewalk on the north side be widened and the width oif the vehicular portion of the street be reduced to the equivalent of two lines. Our interpretation of the prpose of establishing the concept is so that when development does take place, City planners can clearly state to the developer the fact that this change will have to be included in his development plan. Timing would not

precede the initiation of development. To put this another way, what we did not vote for is widening of the widewalk in the near term prior to the commencement of development.

Because there was so much discussion on such a wide range of subjects, it is difficult with any assurance to put "sense" or interpretation on the dialogue, but in my own mind what I hear people saying was "Not now". The fact that there were so many people there who were not residents or had no direct interest in the widening of the street was bound to influence the outcome of the vote; uninvolved parties will take the route of voting for status quo. I think perhaps on the part of some, there was not clear understanding that a vote in favour of the concept was in fact a vote for "Not now, but later".

There was one argument against widening, put forward by John Coombs, which I would like to address. His opinon is that this change would force more traffic down on to Yorkville Ave. I disagree. Scollard St. has only one lane for traffic movement now and will still have one under the proposed scheme. To me, the key to traffic volume on either street is determined by the selection left turn points at Yonge, Davenport and Bay and not the reduction in the width of Scollard.

In our judgement a wider sidewalk on Scollard will improve the appearance of the street, increase property values and enhance the overall concept of Yorkville village. When the time comes for the decision to be made, i.e., when development is under obvious discussion, then the position of those people who live on or own Scollard property is the position which should be first considered."

7. Letter from the Toronto Redevelopment Advisory Council dated September 10, 1984

"Thank you for your letter of above reference.

The three pages of amendments which you have made to the Design Guidelines for North Midtown would, insofar as I am able to determine, bring them within the ambit of the Planning Act 1983. This of course was the basis of my earlier observations of June and July 1983.

Further, I believe that you are adopting a preferable course of action when you suggest that these not be adopted by Council, rather, that consideration be given to relationship with the objectives of the design guidelines in reports on development projects in North Midtown and it is particularly

pleasing to note that emphasis has been placed on the fact that compliance with the guidelines is not mandatory.

It is to be hoped that completion of the booklet in keeping with the strictures outlined above will remove another of the frustrations of the Section 40 process."

8. Letter from Canadian Institute of Public Real Estate Companies dated December 7, 1984

"Thank you for asking us to comment on your report concerning "Design Guidelines for North Midtown". CIPREC, as you know, represents major development companies operating in Toronto and elsewhere and your report raises basic planning principles of importance to us.

We note that these guidelines are the site plan controls provided for under Section 35(a) of the former Planning Act and Section 40 of the 1983 Planning Act. Consequently they cannot exceed the purposes envisaged in the legislation, and are to be limited to specific, practical and functional details such as lighting, walkways, loading facilities, road widenings, waste storage, and water run off.

Unfortunately, the North Midtown guidelines exceed this mandate and deal extensively with matters of architectural design which is not permitted.

In your letter you noted that the industry regrets the lack of municipal guidelines for the site plan control process and you expressed hope that the Design Guidelines will meet this objection. Certainly it is true that it is desirable to know any existing City policies for the specific items covered by the legislation and these should be readily ascertainable. However, it is distinctly unhelpful to have guidelines set down that go beyond what the legislation provides for, or to have any suggestion that developers will be subjected to architectural design control, whether defined in advance or devised in response to an application. Your Design Guidelines deal with this area very extensively.

Quite apart from the need to stay within the law, if controls are not to become arbitrary and capricious, it is important to understand that developers have to meet the needs of the community they serve in a rational way, and arbitrary controls can frustrate this effort. The requirements of the potential occupants of buildings continually change, and it is only possible to determine the form that the building should take at the time that a specific commitment is being made. It is

accepted that certain controls are necessary, and should be provided for under the law, but there should be no attempt to go beyond these once they are laid down and they should not be applied in a way that frustrates development.

We trust that our remarks will help the City to understand our view of the issues involved in these Design Guidelines. As this is a matter of broad application, not just affecting North Midtown, we would request that if there is any intention of proceeding with the guidelines in their present form we have the opportunity to discuss the matter further with the appropriate persons."

APPENDIX D

LIST OF PROPOSED CHANGES TO THE DESIGN GUIDELINES
INCLUDED IN THE 1983 REPORT
"DESIGN GUIDELINES FOR NORTH MIDTOWN"

(Pg. 6)	3.1	(a)	Add "not" before "less than 3 metres from the lot line abutting an R district".
		(d)	Delete section (d) from the guidelines. These guidelines were adopted by Council on May 3, 1983 in Report No. 9, Clause 28 from the City Services Committee for use in evaluating application for development review.
(Pg. 7)	3.2	(a)	(iv) - Delete "be designed to".
		(b)	Replace "be designed with" with "include".
(Pg. 8)		(h)	Replace "facades should be designed, or improved where existing" with "facades shold be improved".
(Pg. 9)	3.3	(f)	Replace "height, massing and appearance" with "massing and conceptual design" and delete "design" following "window".
		(g)	Delete "and designed".
		(h)	Replace "use and type of materials, layout of fenestration and roofline design, colour" with "conceptual design".
(Pg. 10)		(i)	Delete "colour".
		(j)	Delete "be designed to".
(Pg. 12)	4.2	(a)	(ii) - Replace "coloured cloth awnings" with "colourful awnings".
	4.3	(b)	Replace "New buildings should be located and designed to" with "The location, massing and conceptual design of new buildings should".

(Pg. 13)		(c)	Add "The location, massing and conceptual design of" before "new buildings" and delete "be located and designed to".
		(d)	Replace the section with the following: "Special attention should be given to the massing, conceptual design, landscaping and relationship of the proposed new buildings to the Firehall and Library on Yorkville in order that they complement and enhance these historic buildings".
		(e)	Add "massing, conceptual" before "design".
		(g)	Replace "Applications for variances and rezonings may be considered above the permitted height limit" with "Development proposals" and replace "which meet the building envelope" with "should meet the building envelope".
(Pg. 15)	5.3	(a)	Replace "In considering applications for variances and rezoning above the permitted height limit for this area, the form of the proposed building on the lot" with "Development proposals for the Village of Yorkville area". Also delete the sentence beginning "Consideration of a higher building mass may be possible..."
		(b)	Same as 4.3(c).
(Pg. 16)	6.3	(a)	Same as 5.3(a).
		(b)	Same as 4.3(c).
		(c)	Same as 4.3(c).
(Pg. 17)	7.2	(c)	Replace the section with the following: "In order to reinforce the character of existing buildings along Davenport Terrace, special attention should be given to the massing, conceptual design, landscaping and relationship of the proposed new building to the existing buildings."
(Pg. 18)	8.2	(a)	Replace "be designed such" with "consider".

(Pg. 20) 9.2 (b) (ii) - Same as 4.2(a)(ii).

9.3 (a) Delete "be designed to".

(b) Same as 4.3(b).

(c) Add "The location, massing and conceptual design of" before "New development" and delete "should be located and designed". Also replace "to take advantage" with "should take advantage".

(Pg. 22) 10.3 (a) Same as 4.3(b).

(b) Same as 4.3(b).

(Pg. 23) 10.3 (c) Same as 4.3(b).

11.2 (a) Replace the section with the following: "In order to provide for safe, convenient and comfortable pedestrian access, new buildings should be set back at grade from the streetline along Avenue Road permitting widened sidewalks as illustrated in the photograph and sketches in Appendix 3 of this report."

(Pg. 24) 11.2 (b) (ii) - Same as 4.2(a)(ii).

(Pg. 24) 11.3 Add the following new Section:

"11.3 <u>Streetscape and Built Form</u>

(a) In order to ensure the compatibility of the redevelopment of 121 Avenue Road with adjacent residential buildings the Sanctuary portion of the building should be retained, but that the Sunday School portion at the rear of the building be redeveloped as follows:

i. the new building should be setback in line with the houses at 11 Webster Avenue;

ii. the height of the new building should be in line with the top of the roof of the Sanctuary portion of the building, stepping down to the height of the houses at 11 Webster Avenue;

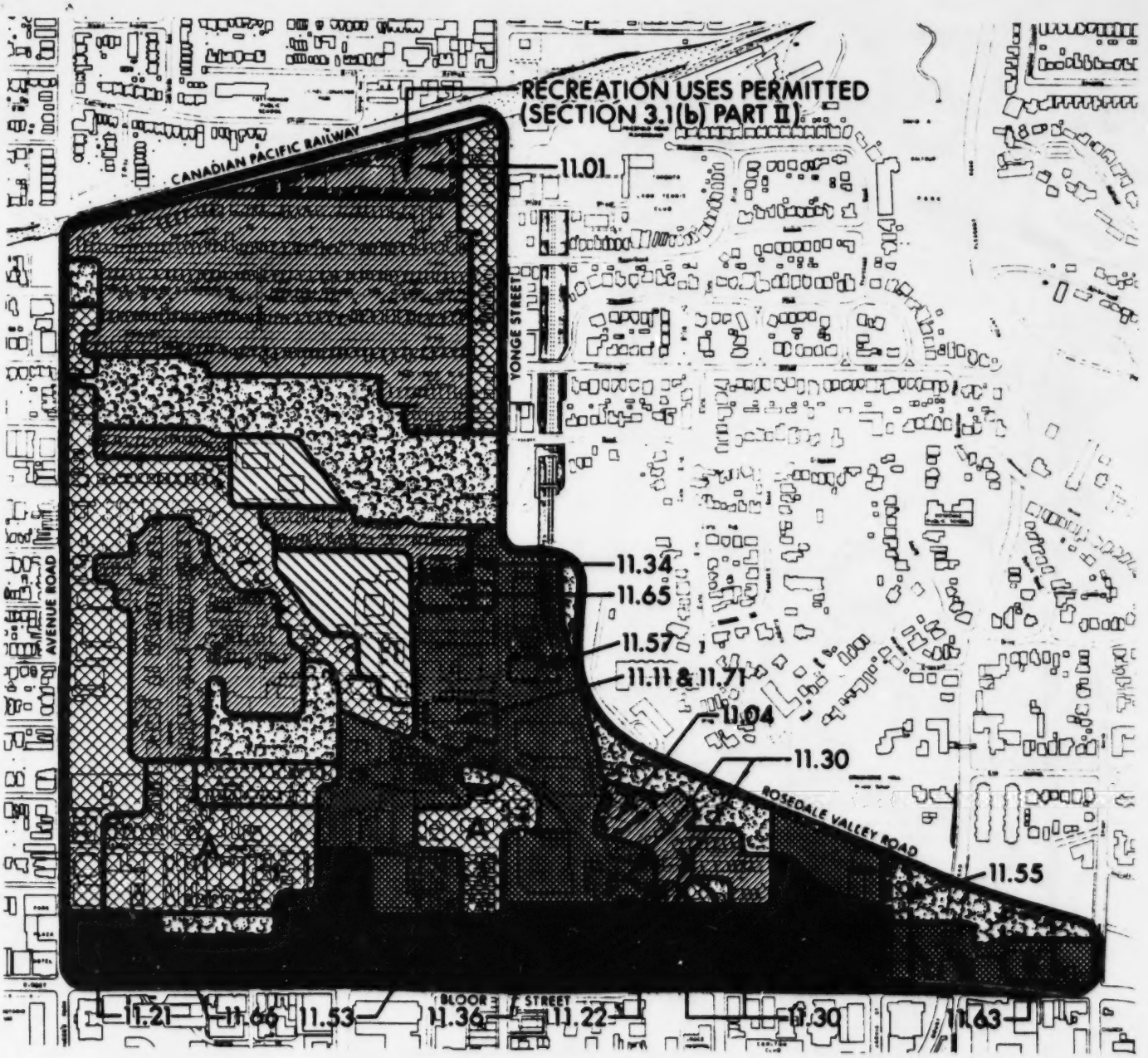
iii. the facade of the new building should retain and incorporate the existing facade of the Sunday School portion of the building along Webster Avenue; and

iv. parking for the new building should be provided on site in an underground parking facility."

(Pg. 25) 12.2 (a) Same as 4.2(a)(ii).

(Pg. 26) 13.2 (a) (ii) - Replace "street design" with "massing and conceptual design of new buildings".

(Pg. 27) 13.3 (b) Delete sections (i) and (ii).



HIGH DENSITY MIXED COMMERCIAL/RESIDENTIAL AREA

MEDIUM DENSITY MIXED COMMERCIAL/RESIDENTIAL AREA

LOW DENSITY MIXED COMMERCIAL/RESIDENTIAL AREA

11.36 SITE SPECIFIC AMENDMENTS TO PART I

MEDIUM DENSITY RESIDENCE AREA

LOW DENSITY RESIDENCE AREA

OPEN SPACE

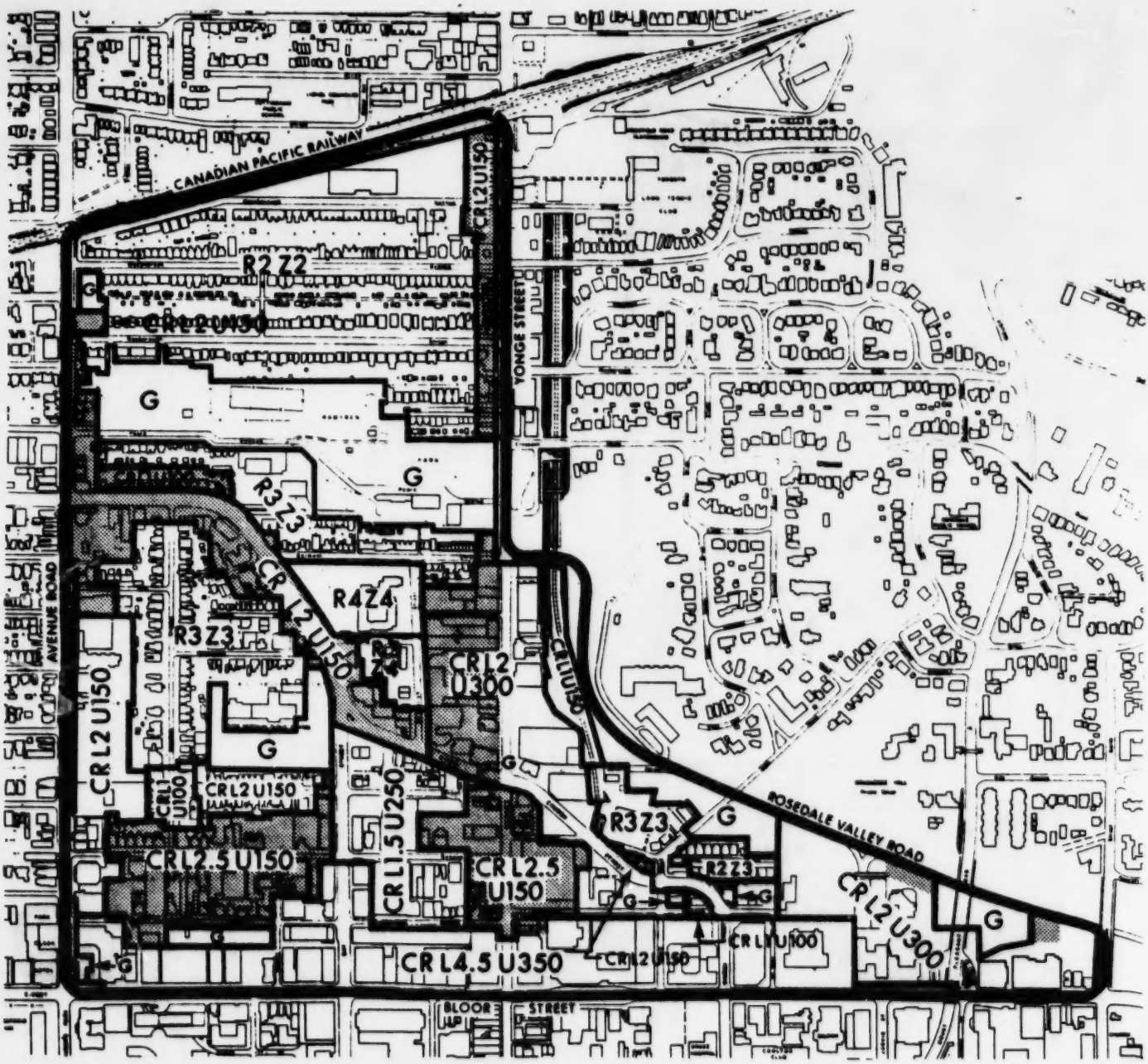
Map A

AREA DESIGNATIONS OFFICIAL PLAN PART II

1

north midtown

CITY OF TORONTO PLANNING AND DEVELOPMENT DEPARTMENT



NOTE: PREVAILING SITE PLAN BY-LAWS AND SPECIAL USE RESTRICTIONS ARE NOT SHOWN ON THIS MAP.

0 50 100 200 m

AREA WHERE CHANGES ARE PROPOSED

PROPOSED AMENDMENTS TO DISTRICT MAPS OF THE ZONING BY-LAW

REVISED NORTH MIDTOWN AREA PLAN

north midtown

2

CITY OF TORONTO PLANNING AND DEVELOPMENT DEPARTMENT